

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.: 10/801,393

First named inventor: John B. Geagan III

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Commissioner for Patents

P.O. Box 1450

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RESPONSE TO OFFICE ACTION

Sir:

In response to the Office Action of 17 September 2007, reconsideration of this application is respectfully requested. All of the presently pending claims recite “seaming together two or more data streams” (claims 1 and 20) or “seaming together a recording of streaming content downloaded over one or more occasions” (claim 10). Fry, US Patent 6,810,409, describes no such seaming operations.

Instead, fry describes processes by which an alternative data stream to that originally requested by a client may be provided to the client. For example, at col. 3, ll. 14-60, Fry indicates that when the client requests a download from a server, under certain conditions the request may in fact be serviced by a proxy if the proxy stores a copy of the requested content that can be downloaded to the client in less time than would take the server to provide same directly to the client. Typically, this would occur where the proxy stores the content in a format that would facilitate the faster download.

No seaming of any data streams occurs in this process. Instead, the proxy provides a different data stream to the client than would have been provided by the server. Consequently, because Fry does not provide for seaming, all of the present claims are patentable over Fry.

Lindqvist, US Patent 5,805,569, is cited for purportedly describing normalizing packet sequence numbers in a congested network. Even if true, however, adding these teachings to those of Fry would not yield the present invention because the above-described deficiencies of fry would remain. Hence, the present claims are patentable over this combination of references.

If there are any additional fees due in connection with this communication, please charge Deposit Account No. 19-3140.

Respectfully submitted,
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